

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

U.S. COMMODITY FUTURES
TRADING COMMISSION :,

Plaintiff,

-against-

HAENA PARK, YUL KASEMAN, et al.

Defendants.

16 Civ. 4120 (VEC)

DECLARATION OF COUNSEL

John R. Wing, Esq. declares, subject to the penalties of perjury, that the following is correct and true to the best of his knowledge.

1. I am a partner in the law firm Lankler Siffert & Wohl LLP which represents the defendant Yul Kaseman in the above captioned action. I am fully familiar with the facts and circumstances of this action.

2. I submit this declaration in support of my firm's Motion for Leave to Withdraw as Counsel of record for the defendant Yul Kaseman, pursuant to Local Rule 1.4 of the U.S. District Court for the Southern District of New York. Ms. Kaseman supports and consents to this application. (See Ms. Kaseman's affidavit attached as Exhibit A)

3. Defendant signed a retainer agreement with Lankler Siffert & Wohl LLP on or about June 9, 2016 and paid an initial retainer on June 13, 2016.

4. The retainer agreement provided that the firm's bills would be applied against the initial retainer and that additional retainers would be requested and paid if necessary to cover future bills.

5. From June 2016 to date, Lankler Siffert & Wohl LLP has provided legal services on behalf of Ms. Kaseman and engaged in substantial efforts to resolve this matter without a trial. Those efforts were not successful. The fees for that work exceeded the initial retainer amount and there is presently an unpaid balance of approximately \$12,000. The firm's request for an additional retainer to cover the fees and expenses for legal services to be incurred in further litigating this matter has not been paid.

6. The defendant Yul Kaseman has advised me that she will not and cannot pay the fees required to continue representing her in the litigation of this matter given her lack of financial resources.

7. Although Ms. Kaseman has spoken with a number of other lawyers, some of whom have offered to give her informal advice on a pro bono basis, she has been unable to find any counsel willing to become counsel of record given her inability to pay legal fees. Ms. Kaseman has decided to proceed on a *pro se* basis and consents to this application to permit Lankler Siffert & Wohl to withdraw as her counsel. (See Ms. Kaseman's affidavit attached as Exhibit A)

8. Since the case is at an early stage and has not proceeded beyond the filing of a complaint, I do not believe the parties will be prejudiced or the litigation disrupted by the withdrawal of Ms. Kaseman's counsel and her decision to proceed *pro se*.

9. No prior application has been made for the relief requested herein.

WHEREFORE Lankler Siffert & Wohl LLP respectfully requests the Court to enter an

Order:

- a.) Granting defendant Yul Kaseman's counsel Lankler Siffert & Wohl LLP leave to withdraw as counsel for the defendant Yul Kaseman in this action, pursuant to local Rule 1.4.
- b.) Staying further proceedings in this matter for 60 days to afford the defendant a reasonable time to prepare to proceed on a *pro se* basis.

Dated: New York, New York

December 6, 2017

LANKLER SIFFERT & WOHL, LLP

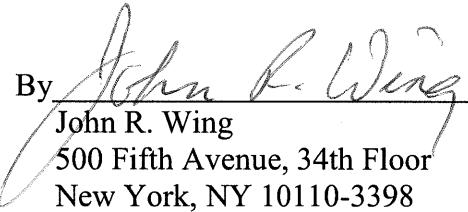
By 
John R. Wing
500 Fifth Avenue, 34th Floor
New York, NY 10110-3398
(212) 921-8399
rwing@lswlaw.com

EXHIBIT A

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

U.S. COMMODITY FUTURES TRADING :
COMMISSION :
Plaintiff, : 16 Civ. 4120 (VEC)
-against- : **AFFIDAVIT OF YUL KASEMAN**
HAENA PARK, YUL KASEMAN, et al. :
Defendants. :
:

STATE OF NEW YORK)
COUNTY OF NEW YORK) ss.:
)

I, Yul Kaseman, being duly sworn, deposes and says:

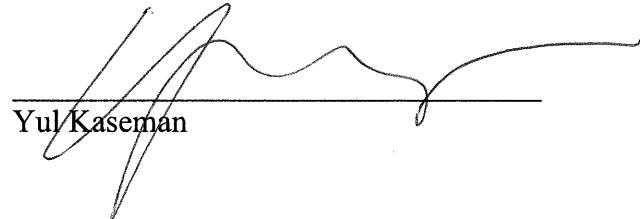
1. I am a defendant in the above captioned matter named in only one count, the last count of the 7 count complaint. I support and consent to my counsel's motion to withdraw in this matter.

2. Since June 2016, I have been represented by the law firm of Lankler Siffert & Wohl LLP. Since the CFTC filed this action against me, my lawyers and I were hopeful of resolving the matter without the necessity of filing an answer or proceeding to discovery and trial. Our efforts to settle the matter, however, have been unsuccessful. I am a working mother with two small children and my husband and I barely earn enough to support the basic needs for our family. Several months ago I advised my counsel John Wing, Esq. of Lankler Siffert & Wohl that I was unable to pay the fees for the legal services necessary to further litigate this matter, and that I anticipated discontinuing my relationship with Mr. Wing and his law firm because of my inability to pay their fees.

3. I have spoken with other lawyers, some of whom have offered to informally assist me on a pro bono basis, but given my inability to pay even a modest amount of legal fees, I was unable to locate any lawyer who was willing to undertake to represent me as counsel of record.

4. Under these circumstances, I have decided to proceed by representing myself on a *pro se* basis and have advised Mr. Wing that I would and do consent to his firm's motion to withdraw as my counsel.

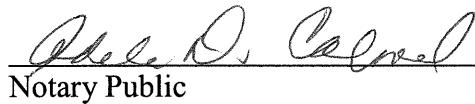
5. I would ask the Court to stay the matter for 60 days so that I might have time to file an answer and effectively prepare to represent myself as the matter goes forward.



Yul Kaseman

Sworn to before me

this 5th day of December, 2017



Adele D. Calmel

Notary Public

ADELE D. CALMEL
Notary Public, State of New York
No. 01CA5011796
Qualified in New York County
Commission Expires June 15, 2019